IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WP(C).No. 21027 of 2007(C)

PETITIONER:

NAZEEMA, W/O. SYED MUHAMMED,
HSA (HINDI), GOVT. MUSLIM HIGH SCHOOL, NADAYARA,
VARKALA, THIRUVANANTHAPURAM, RESIDING AT
'BISMILLAH', T.C.41/2137(2), MANAKKADU,TRIVANDRUM.

BY ADV. SRI.V.S.BABU GIREESAN

RESPONDENTS:

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1. DIRECTOR OF PUBLIC INSTRUCTIONS,
DIRECTORATE, THIRUVANANTHAPURAM.

2. DEPUTY DIRECTOR OF EDUCATION,
DIRECTORATE, THIRUVANANTHAPURAM.

3. P. MINI,
HSA (HINDI), GOVT. HIGH SCHOOL,KATTACHAKONAM,
RESIDING AT TC.3/2606, KURUNGANOOR, PATTOM,
THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No. 21027 of 2007

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Dated this the 20TH day of July, 2007.

J U D G M E N T

Petitioner is stated to be working as High School Assistant (Hindi) in Government Muslim High School, Nadayara, Varkala, in Thiruvananthapuram district. Her grievance is that the request made by her for transfer to one of the three stations of her choice or to any other school within the limits of Thiruvananthapuram city has been ignored by respondent No.2, without any valid or legal reasons. Simultaneously she impugns Ext.P2 order by which some of the teachers including respondent No.3 have been given posting at various schools. It is contended by the petitioner that respondent No.3 has been given a posting at Government High School, Kattacheckonam within the city of Thiruvananthapuram. According to the petitioner she ought to have been accommodated against the vacancy at Kattacheckonam , if in fact she could not have been given a posting in one of the three stations of her choice.

2. I do not propose to deal with any of the above contentions raised by the petitioner at this stage in view of the limited prayer made by the learned counsel for the petitioner at the Bar. He prays that respondent No.2 may be directed to take a decision on Ext.P3. I am satisfied that interest of respondent No.3 can be safeguarded though I have not issued notice to any of the respondents in this writ petition.

3. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.2 to consider and pass

orders on Ext.P3 representation which is stated to have been submitted by the petitioner before the said authority strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within six weeks from the date of receipt of a copy of this judgment. Respondent No.2 shall ensure that apart from the petitioner, respondent No.3 and all other teachers who are likely to be affected by any order that may be passed by him are afforded sufficient opportunity to be heard before any decision is taken in the matter.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.2 for compliance. Petitioner shall send copies of the above documents to respondent No.3 by registered post within 7 days from the date of receipt of a copy of this judgment.

A.K. Basheer
Judge.

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